

REMARKS/ARGUMENTS

The application has been amended in response to more clearly describe the present inventions. The pending and amended claims overcome the rejections of claims 1-26 based on the applied references. New claims 27-31 have been added, and claim 3 has been canceled. No new matter has been added.

PENDING REJECTIONS

Claims 1-3, 9-10, 13-15, 21-22 and 25-26 stand rejected under 35 U.S.C. §102(e) as anticipated by U.S. Patent No. 6,279,033 issued to Selvarajan *et al.* (“Selvarajan *et al.*”).

Claims 4-5, 8, 16-17 and 20 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Selvarajan *et al.*, further in view of U.S. Published Application No. 2002/0083058 to Hsiao (“Hsiao”).

Claims 6-7 and 18-19 stand rejected under 35 U.S.C. §103(a) as being unpatentable over Selvarajan *et al.* in view of Hsiao *et al.*, and further in view of U.S. Patent No. 6,594,672 issued to Lampson *et al.* (“Lampson”).

REJECTIONS UNDER 35 U.S.C. § 102(e)

Although Applicants disagree with the propriety of the rejections proposed by the Office Action for original claims 1-26, Applicants have nevertheless amended the claims to clarify distinctions between the claims and the prior art of record. Specifically, independent claims 1, 13, and 25, and dependent claims 4, 5, and 8 have each been amended. Dependent claim 3 has been cancelled. Claim 1, for example, now recites a “network server for receiving user input to remotely manipulate or modify at least one report generated by at least one data source, the user input being initiated by activation of a markup language construct associated with the at

least one report” Claims 13 and 25, both method claims, now recite the step of “receiving via a user interface user input to remotely manipulate or modify at least one report generated by at least one data source, the user input being initiated by activation of markup language construct associated with the at least one report.”

Applicants respectfully submit that in view of these amendments and the remarks expressed below regarding the rejections under §103(a), claims 1, 13, and 25 are now allowable over the cited prior art.

REJECTIONS UNDER 35 U.S.C. § 103

Applicants respectfully submit the §103(a) rejections of claims 4-8, 11-12, 16-20, and 23-24 improper and must be withdrawn. Section 103(c) of the U.S. Patent Laws states as follows:

Subject matter developed by another person, which qualifies as prior art only under one or more of subsections (e), (f), and (g) of section 102 of this title, *shall not preclude patentability under this section where the subject matter and the claimed invention were, at the time the invention was made, owned by the same person or subject to an obligation of assignment to the same person.*

(emphasis added).

Selvarajan *et al.*—the primary reference supporting the §103(a) rejections—is owned by Microstrategy, Inc., the same entity which owned the claimed invention or was subject to an obligation of assignment of the claimed invention at the time it was made, and thus cannot preclude patentability of the pending claims under an obviousness rejection. Indeed, an assignment from all inventors to Microstrategy, Inc. was recorded at Reel 012135, Frame 0494.

Accordingly, in view of the above remarks, Applicants submit that independent claims 1, 13, 25 and 27 are allowed over the art of record. Each remaining claim depends from either

independent claim 1, 13, 25 or 25 and is therefore allowable over the art of record for at least the reasons set forth above.

CONCLUSION

Since the cited references, taken either singly or in combination, fail to teach or suggest the combinations set forth in the pending claims, and further fail to provide any motivation or suggestion of the desirability of modifying the structures or methods to arrive at the claimed combinations, Applicants submit that the pending claims are allowable over the cited references. Accordingly, Applicants respectfully request that the Examiner withdraw his rejections, allow the pending claims and pass the application to issue.

If the Examiner believes that a telephone conference or interview would advance prosecution of this application in any manner, the undersigned stands ready to conduct such a conference at the convenience of the Examiner.

If there are any fees due under 37 C.F.R. §1.116 or §1.117 which are not enclosed herewith, including any fees required for extension of time under 37 C.F.R. §1.136, please charge such fees to our Deposit Account No. 50-0206.

Respectfully submitted,

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